IN THE COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE JURISDICTION

WRIT PETITION NO.2905 OF 2006

Prabhat Udyog Ltd . ...Petitioners

vs.

Shri Lallu Khaderu Yadav ...Respondents

Mr.C.U.Singh i/by. Sanjay Udeshi for the petitioner.

Mr.I.A. Engineer for Respondent no.1.

CORAM: S.C. DHARMADHIKARI, J.

29th January, 2007.

P.C :-

1. After this petition was argued for some time, Mr.Singh, Learned Senior Counsel appearing for the petitioner and Mr.Engineer appearing for the

Respondent workmen agreed to its disposal in the following terms :-

2. The parties have agreed that upon payment of a sum of Rs,2,72,458/- to the respondent workmen, which sum the Respondent would accept in full and final settlement of all claims, the award impugned in this petition dated 5.4.2006 in Reference (IDA) No. 461 of 2004 shall stand satisfied.

3. It is also agreed between the parties that the amount of Rs.2,72,458/- would be paid in instalments.

4. The petitioner agrees and undertakes to pay a sum of Rs.1 lac to the Respondent within a period of one week from today.

5. As far as the balance sum of Rs.1,72,458/- is concerned it is agreed between the parties that the petitioner to pay the sum in four instalments upto 31.5.2007. The above order is passed in the presence of respondent workmen and Mr.Umesh Karnani, Director of the petitioner company. Undertaking is accepted.

6. Needless to state that if default is committed in the payment of the initial sum so also the balance sum by 31.5.2007, the Respondent Workmen would be at liberty to execute the award in accordance with law on the basis that this court has not interfered with the same in its jurisdiction under Article 226 of the Constitution of India.

7. Petition is disposed off in above terms with no order as to costs.

(S.C.DHARMADHIKARI, J)